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**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

JUL 16 2001

		<b>Application Number</b>	09/728,159
		<b>Filing Date</b>	December 2, 2000
		<b>First Named Inventor</b>	Brian Shuster
		<b>Group Art Unit</b>	
		<b>Examiner Name</b>	
Total Number of Pages in This Submission	6	Attorney Docket Number	4633P005x2

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN	<b>RECEIVED</b>
Signature	<i>E.S.H.</i> JUL 31 2001	
Date	7/12/01 Group 2100	

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 7/12/01

Typed or printed name	Kumiko Alexander	Date	7/12/01
Signature	<i>Kumiko Alexander</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**FEE TRANSMITTAL**  
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number	09/728,159
Filing Date	12/02/00
First Named Inventor	Brian Shuster, et al.
Examiner Name	
Group Art Unit	
Attorney Docket Number	4633P005x2

**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  
 Check     Money Order     Other

**FEE CALCULATION****1. FILING FEE**

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1) (\$)****2. CLAIMS**

Total Claims	Independent Claims	Extra	Fee from below	Fee Paid
<input type="text" value="2"/>	<input type="text" value="1"/>	= <input type="text"/>	X <input type="text"/>	= <input type="text"/>

Multiple Dependent Claims

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple Dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\* or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920	112	920 Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840 Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for response within first month	
116	390	216	195 Extension for response within second month	
117	890	217	445 Extension for response within third month	
118	1,390	218	695 Extension for response within fourth month	
128	1,890	228	945 Extension for response within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidably	
141	1,240	241	620 Petition to revive - unintentionally	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Petitions related to provisional applications	
126	240	126	240 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	710	246	355 Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) (\$)**

\* Reduced by Basic Filing Fee Paid

**SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name	Eric S. Hyman, Reg. No. 30,139			Reg. Number	
Signature		Date	5/1/01	Deposit Account User ID	02-2666

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Group 2000  
JULY 2001



Docket No.: 04633.P005x2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brain Shuster, Edwin Sahakian and Craig  
James Beasley

Application No.: 09/728,159

Filed: December 2, 2000

For: METHOD AND APPARATUS FOR  
CONTROLLING AN  
ANIMATRONIC DEVICE IN AN  
INTERACTIVE GAME  
ENVIRONMENT

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

RECEIVED

JUL 31 2001

Group 2100

This is in response to a Notice of Incomplete Reply mailed June 19, 2001.

The Notice alleges that the reply to the Notice to File Missing Parts mailed January 17, 2001 subject application has been entered in to the nonprovisional application, but the reply did not include a properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date. However, on February 6, 2001, Applicant mailed a response to the Notice to File Missing Parts along with a properly signed declaration and power of attorney and certificate of mailing, a copy of which is enclosed as well as a postcard receipt which with a date stamp of February 9, 2001.

In view of the foregoing, withdrawal of the Notice of Incomplete Reply, and further action on the merits is requested.

In the event any petition is required for consideration of this paper, Applicant hereby petitions for such consideration. In the event any fee is required, please charge Deposit Account

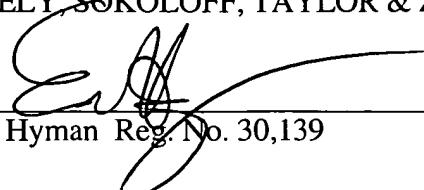
02-2666. In the event any fee is charged, Applicant hereby requests refund of such fee since, in fact, there was no defect.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

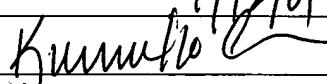
Date: 7/1/08

12400 Wilshire Blvd., 7th Floor  
Los Angeles, CA 90025  
(310) 207-3800

  
Eric S. Hyman Reg. No. 30,139

**CERTIFICATE OF MAILING**

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Commissioner of Patents and Trademarks, on*

  
Kumiko Alexander Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,159	12/02/2000	Brian Shuster	04633P005x2

08791  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

**CONFIRMATION NO. 3674**  
**FORMALITIES LETTER**



\*OC000000006198402\*

Date Mailed: 06/19/2001

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on 02/09/2001 to the Notice to File Missing Parts (Notice) mailed 01/17/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice **MUST** be returned with the reply.*

---

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

*RECEIVED  
7/11/01  
Group 2100*



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JUL 21 2001  
Group 2100

**RECEIVED**  
FEB 23 2001

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Serial/Patent No: 09/728,159

Filing/Issue Date: 12-2-00

Client: Weld-Int'l Technologies  
Title: Method and Apparatus for Controlling

BSTZ File No.: 0074633, P025X2

Atty/Soc'y/Initials: C.S./MVS

Docket/Case Date: 3/17/00

Amendment/Response (       pgs.)

Appeal Brief (       pgs.) (in triplicate)

Application - Utility (       pgs. with cover and abstract)

Application - Rule 1.53(b) Continuation (       pgs.)

Application - Rule 1.53(c) Divisional (       pgs.)

Application - Rule 1.53(d) CIP (       pgs.)

Application - Rule 1.53(d) CPA Transmittal (       pgs.)

Application - Design (       pgs.)

Application - PCT (       pgs.)

Application - Professional (       pgs.)

Assignment and Cover Sheet

Certificate of Mailing

Declaration & POA (       pgs.)

Disclosure Docs & Cr & Copy of Inventor Specified (       pgs.)  
Drawings: \_\_\_\_\_ # of sheets includes \_\_\_\_\_ figures

Other: Copies of Notice

Envelope/Mail No:

Mon(s). Extension of Time

Information Disclosure Statement (IDS) (       pgs.)

Issue Fee Transmittal

Notice of Appeal

Petition for Extension of Time

Petition for

Postcard

Power of Attorney (       pgs.)

Preliminary Amendment (       pgs.)

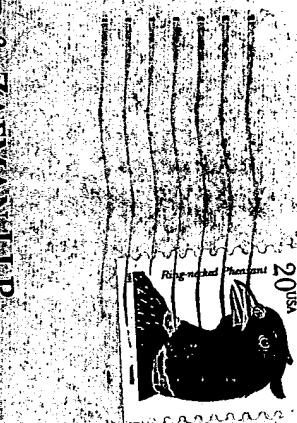
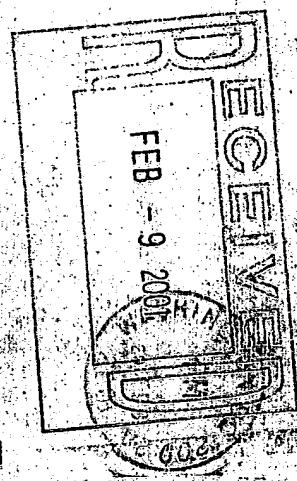
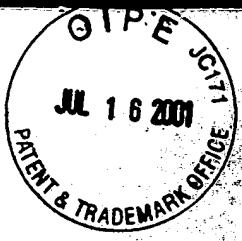
Reply Brief (       pgs.)

Response to Notice of Missing Parts

Small Entity Declaration for Indep Inventor/Small Business

Transmittal Letter, in duplicate

Fee Transmittal, in duplicate



RECEIVED

JUL 31 2001

Group 210

SEARCHED AND SERIALIZED  
JULY 16 2001

BLAKEMORE, SOKELOFF, TAYLOR & ZAHMAN LLP  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1026